

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: O'Brien et al.

FILED: July 30, 2001

SERIAL NO.: 09/919,048

FOR: Methods For the Early Diagnosis  
of Ovarian Cancer

§ ART UNIT: 1642

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§ EXAMINER:

§ Harris, Alana

§

§ DOCKET:

§ D6223CIP/A/D/CIP

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Commissioner of Patents  
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PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

The owner, the University of Arkansas for Medical Sciences of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. Sections 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/102,283, filed on March 20, 2003. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any

patent granted on the instant application and is binding upon grantee, its successors or assigns.

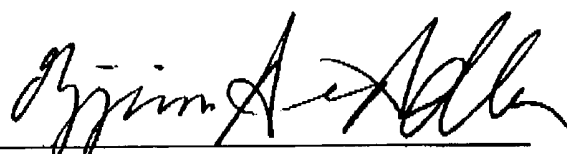
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the present grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

The Commissioner is hereby authorized to deduct the \$55 fee required under 37 CFR §1.20(d) and any additional fees which may be required from Deposit Account No. 07-1185.

Respectfully submitted,

Date: April 4, 2004



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